

REMARKS

After entry of the foregoing amendments, claims 1-48 are currently pending in this application. Claims 49 and 50 are hereby cancelled. Claims 17 and 18 are rejected. Claims 1-16, 19, 21-23 and 25-48 are allowed. The Examiner indicated that claims 18 and 24 contain allowable subject matter and are only objected to because they depend from a rejected claim (claim 17).

STATEMENT OF SUBSTANCE OF INTERVIEW:

Applicant's representative conducted an interview with Examiner Nghiem on April 9, 2004. During the interview, it was emphasized that the Examiner misinterpreted Helterline, et al. (USP 6,039,430). The Examiner agreed with this position and requested that the arguments be submitted in writing so that he can further evaluate the case.

35 U.S.C. §102:

Claims 17, 20, 49 and 50 are rejected under 35 U.S.C. §102(b) as being anticipated by Helterline et al. (U.S. Patent No. 6,039,430 [hereinafter "Helterline"]). The rejection based on claims 49 and 50 is rendered moot by the cancellation of these claims. Applicant respectfully traverses the rejection of claims 17 and 20 in view of the following remarks.

Helterline is newly applied for an alleged teaching of an ink cartridge 18 for a printer (Figure 1). The Examiner attempts to rely on Figures 2A and 2B of Helterline in an effort to teach the features of independent claims 17, 20, 49 and 50.

Applicant respectfully submits that the Examiner is improperly interpreting Figures 2A and 2B of Helterline. In particular, the rejected claims recite that, *inter alia*, the contact is contained on an outside surface of the ink cartridge.¹ The Examiner improperly asserts that this feature is disclosed in Figures 2A and 2B of Helterline by alleging that “40 is on [an] outer surface of 18, *notice that the surface is not depicted by broken lines*, Figs. 2A, 2B.” (Emphasis added.) (See Office Action, paragraph bridging pages 2 and 3.). In effect, the Examiner is attempting to submit that element 40 of Figures 2A and 2B (which is applied against the claimed contact) is formed on an outside surface of the ink cartridge because it is not represented by broken lines. The Examiner’s interpretation of Figures 2A and 2B is incorrect.

As shown in the attached Exhibit A², Helterline clearly intended to disclose element 40 as being positioned within an inner portion of the cartridge. As one skilled in the art would have appreciated, the jagged line around the area of element 38 in Figure 2A represents a “cut-away” view. Moreover, the edge portion (E) that runs along the cartridge 18 is represented as being discontinuous in the area of the cut-away view, as shown in Exhibit A. As a skilled artisan would appreciate, this is because the cut-away view represents the inside of the cartridge 18, and not the outside of the cartridge in the manner alleged by the Examiner. Accordingly, the Examiner improperly characterizes Helterline, which results in the rejection being improper.

¹ Claims 17 and 20 also define the outside surface as facing away from all other surfaces of the ink cartridge.

² Exhibit A is an enlarged portion of Figure 2A of Helterline.

AMENDMENT UNDER 37 C.F.R. §1.116
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Thus, Applicant respectfully requests withdrawal of the rejection of claims 17 and 20, and immediate passage of the application to issue.

In view of the preceding amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephonic interview, he is kindly requested to contact the undersigned attorney at the local telephone number listed below.

The USPTO is directed and authorized to charge all required fees (except the Issue/Publication Fees) to our Deposit Account No. 19-4880. Please also credit any over-payments to said Deposit Account.

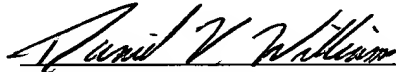
Respectfully submitted,

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